

Remarks

Reconsideration and allowance are respectfully requested. Claims 6, 8, 11, 13, 14, 18, 21, 24, and 36-49 are pending, with claims 6, 8, 11, 13, 14, 18, 21, 36-39, 43-45, and 49 being independent. Claims 1-5, 7, 9, 10, 12, 15, 16, 17, 19, 20, and 25-35 are canceled and claims 6, 8, 11, 13, 14, 18, 35, 43, and 49 are amended. No new matter has been added.

Drawings

The drawings stand objected-to for being informal. New formal drawings are submitted herewith to overcome this objection.

Specification

The specification has been amended in view of comments in the official action.

Rejection under 35 U.S.C. § 112

Claims 12-20, 43, and 49 were rejected under 35 U.S.C. section 112 as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is traversed.

Claims 12, 15, 16, 17, 19, and 20 have been canceled, thus the rejection is moot as to these claims.

Claims 13, 14, 18, 43, and 49 have been amended. Claims 13, 14, and 18 have been amended to change "on" to "one". Claim 43 has been amended to change "in" to "is". The preamble of claim 49 has been amended to recite, "A system for monitoring and reprogramming at least one device implanted within a living being, the system comprising:".

Applicant submits that the claims are in condition for allowance in view of the amendments to the claims.

Rejections under 35 U.S.C. §§ 102, 103

Claims 1-5, 7, 9, 10, 12, 15, 16, 17, 19, 20, and 25-34 were rejected under at least one of 35 U.S.C. sections 102(b) and 103(a), as allegedly being anticipated by Adams et al. (U.S. Patent No. 5,336,245), Markowitz et al. (U.S. Patent No. 5,626,630), Duffin et al. (U.S. Patent No.

5,752,976), and/or Cox et al. ("Cox"; U.S. Patent No. 6,141,588); or allegedly being unpatentable over Cox in view of Snell (U.S. Patent No. 5,720,771). Without conceding the propriety of these rejections, and solely to expedite allowance of the application, claims 1-5, 7, 9, 10, 12, 15, 16, 17, 19, 20, and 25-34 have been canceled, thus, these rejections are moot.

Conclusion

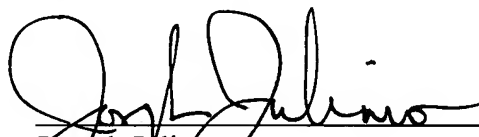
In view of the above amendments and remarks, therefore, all claims are in condition for allowance. A formal notice to that effect is respectfully requested.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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